

Chapter 15.52

MOBILE HOME AND TRAVEL HOME REGULATIONS

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15.52.010 Definitions.

A. "MOBILE HOME" shall include manufactured structures intended for use as a dwelling, including factory built housing and mobile homes transportable on their running gear, except for vehicles, trailers and other structures, either registered or required to be registered, pursuant to Article 42-3 of the Colorado Revised Statutes.

B. "MOBILE HOME PARK" shall mean a single site, parcel or lot operated and used for the location of two (2) or more mobile homes intended for use as residences. Provided, however, a residential subdivision approved for and occupied by mobile homes on separately platted lots shall not be deemed a mobile home park for purposes of this chapter.

C. "TRAVEL HOME" shall mean any movable or relocatable dwelling unit, other than a "mobile home" as defined above, commonly used for temporary dwelling, travel, recreation or other purposes including, but not limited to campers, motor homes, pick-up truck campers, RVs, trailers and trailer coaches.

D. "TRAVEL HOME PARK" shall mean a park or campground for the use of travel homes, including but not limited to campers,

motorhomes, pick-up truck campers, RVs, trailers and trailer coaches.

E. "MANUFACTURED STRUCTURE" shall mean a factory fabricated structure transportable to its place of use. (Ord. 13, §1, 1994; Ord. 37, §1, 2001)

15.52.020 Use and location of mobile homes. Mobile homes may be used, occupied or located only in the following places:

A. Stored or displayed upon a lawful mobile home sales lot if unoccupied.

B. Used as a single family dwelling within an authorized space in a licensed mobile home park for which an occupancy permit has been issued, or if less than 400 square feet in floor area, in a licensed travel home park upon a designated space.

C. Used as a single family dwelling on an individual lot or tract in a use district which allows such use.

D. Located upon property for which a permit has been issued by the City for the temporary use of a mobile home pursuant to Section 15.52.040.

E. Used at a location where a mobile home is lawfully located, occupied or used at the effective date of this chapter, or date of annexation to the city, and continuously located, occupied or used thereafter; subject to the non-conforming use regulations of the City's Land Use Code. (Ord. 13, §1, 1994)

15.52.030 Use and location of travel homes.

A. Travel homes may be occupied as temporary dwellings only in the following circumstances:

1. Within a licensed travel home park upon a designated space.

2. Upon private property for temporary occupancy by out-of-town guests, for a period not to exceed thirty (30) days in any calendar year for any tract of property. Any travel home used in this manner must be located within the minimum setback requirements for the district in which it is placed.

3. Upon property for which a permit has been issued by the City pursuant to Section 15.52.040.

B. Travel homes may be parked, if unoccupied, upon private property within the setbacks, or temporarily upon public streets, if registered under State law and lawfully parked;

provided, however, they may not be parked to create a traffic hazard or parked on public property in substantially the same location for more than 36 hours. (Ord. 13, §1, 1994)

15.52.040 Permits for temporary location or occupancy of mobile homes or travel homes.

A. An application for a permit for the temporary location and use of a mobile home or travel home upon private property shall be made upon forms supplied by the City.

B. A permit for a period of up to six months may be issued only under the following circumstances by the City Manager:

1. For fire protection or security purposes in Industrial Districts.

2. At a construction site during the construction period for construction related purposes, including residential occupancy by a property owner on his own property, provided that all necessary taps have been purchased and a building permit issued which has not been revoked. Such permit shall terminate when a Certificate of Occupancy has been issued for the project.

3. For temporary dwelling purposes at carnivals, circuses, festivals or other civic events.

4. For a temporary sales office for subdivision lot or unit sales purposes during the initial subdivision development and sales period.

C. The City shall not issue any temporary permit, except for a use or location which complies with the criteria of this Section. Such permit may be revoked by the City Council after a hearing upon reasonable notice to the applicant for a violation of any of the provisions of this Section, or any other applicable ordinances or regulations of the City or State. (Ord. 13, §1, 1994; Ord. 9, §2, 2004)

15.52.050 Mobile home park development procedure.

A. It shall be unlawful to commence the construction of any mobile home park or the enlargement of an existing mobile home park until a mobile home park construction permit has been approved by the City Council as meeting the criteria and requirements of this Chapter and other applicable City and State regulations.

B. Application for a mobile home park construction permit shall be made by submitting an application on forms supplied by the City accompanied by a site plan of the proposed mobile home

park and any supporting documents, plans or drawings necessary to show that the design requirements of Section 15.52.060 will be complied with. The size and location of each existing mobile home shall be accurately shown.

C. The site plan and all supporting plans must be submitted to the City no later than thirty (30) days before the date at which the Planning Commission is to review the application. Following review of the application, the Planning Commission shall recommend approval, conditional approval, or disapprove the application. The reasons for disapproval shall be included in the Planning Commission minutes and provided to the applicant upon request. The application shall then be submitted to the City Council for review and action. The Council may approve the application, conditionally approve it, or disapprove the application if it finds that the requirements of these regulations have not been met.

D. It shall be unlawful to locate any mobile home within any mobile home park prior to the time that a license for the mobile home park, or applicable portion thereof, has been issued by the City Manager following an inspection to determine if the mobile home park, or the applicable portion thereof, has been developed in substantial conformity with the construction permit, plans and other documents as approved by the City Council.

E. An application fee as set by the City Council shall accompany the application for a mobile home park construction permit. (Ord. 13, \$1, 1994; Ord. 9, \$16, 2004)

15.52.060 Mobile home park design requirements.

A. Size and Location: Mobile home parks may be located only where allowed by the City Land Use Regulations and shall be a minimum of five (5) acres in area, unless adjacent to an existing mobile home park, with the aggregate area being over 5 acres. Mobile home parks containing 25 or more spaces shall abut a major or minor arterial street as designated in the City's Major Street Plan. Mobile home parks containing less than 25 spaces shall abut a collector street or larger street, as designated in the City's Major Street Plan.

B. All mobile home parks shall, as a minimum, comply with the Regulations for mobile home parks issued by the State of Colorado, and the requirements of this Chapter. In the event of any conflict between the State regulations and the requirements

of this Chapter or other ordinances and regulations of the City, those regulations which are more stringent shall apply.

C. Dimensional Requirements:

1. Each mobile home space shall be shown on the site plan and may have only one mobile home located on it.
2. Each space shall have a minimum area of four thousand five hundred (4500) square feet.
3. Mobile home park internal setbacks for individual spaces shall be as follows:
 - a. Front setback shall be a minimum of fifteen feet (15');
 - b. Rear setbacks shall be a minimum of fifteen feet (15');
 - c. Side setbacks shall be a minimum of five feet (5').
4. Mobile home park external boundary setbacks shall be as follows:
 - a. Minimum park front setback shall be twenty-five feet (25'), except when the mobile home park fronts on a state highway; then the minimum shall be fifty feet (50').
 - b. Minimum park side set back shall be fifteen feet (15').
 - c. Minimum park rear set back shall be fifteen feet (15').
5. A minimum of two (2) off-street parking spaces per mobile home space shall be provided.
6. All mobile home spaces shall have access only to park internal streets.
7. 10% of the gross area of the mobile home park shall be developed and maintained as a park or playground.

D. The mobile home park developer shall provide the following improvements:

1. Water systems, including fire hydrants and adequately sized mains.

2. City sanitary sewer collection system.
3. Paved streets with a minimum paved width of thirty-six feet (36'), including the width of valley pans.
4. Storm drainage system.
5. Street signs, street lights.
6. Concrete valley pans three feet (3') in width and five foot (5') wide sidewalks shall be installed as a minimum on each side of each street.
7. All mobile home spaces shall be clearly marked and numbered and shall contain at a minimum a level graveled, paved or concrete area on which to place the mobile home which is designed to drain away from the mobile home, and contains the necessary anchors and tie-downs to secure the stability of the mobile home. Utility risers for each utility service and a yard hydrant are required for all mobile home spaces.
8. Storage facilities: Conveniently located storage buildings equal to at least sixty square feet per unit shall be provided to house additional personal possessions of park residents. This may be accomplished by provision of a centrally located storage building, or individual storage units on each mobile home space.

Storage areas for boats, travel trailers, campers and similar items shall be provided within the park. The minimum storage area shall equal one hundred square feet per mobile home space and shall be separated from view by fencing or landscaping.

E. Arrangements to provide public utilities including, if available, gas, electricity, telephone and cable television shall be made with the utility companies.

F. Plans for all improvements shall be submitted with the site plan. All required improvements shall comply with City design and construction standards and specifications.

G. Easements: The City may require reasonable utility easements to be dedicated to the public for the purpose of public and City utilities. The City may require the oversizing

of any water and sewer lines, in which event the City shall pay for the cost of oversizing.

H. Screening: Fencing or vegetative screening may be required if the City Council determines a visual buffer is needed to provide separation from surrounding uses and help protect the property value of the existing neighborhood, or to improve the quality of the mobile home park.

I. Landscaping: A landscape plan shall be submitted which, at minimum, provides for the use of appropriate ground cover and vegetation to prevent erosion and reduce the creation of dust and mud, and shall include the use of other landscape materials to enhance the quality of life in the mobile home park.

J. No mobile home without toilet, lavatory and shower or bathing facilities shall be allowed in any mobile home park. (Ord. 13, §1, 1994; Ord. 6, §1, 1998)

15.52.070 Travel home park development procedure.

A. It shall be unlawful to commence construction of any travel home park or the enlargement of an existing travel home park until a travel home park construction permit has been approved by the City Council as meeting the criteria and requirements of this Chapter and other applicable City and State regulations.

B. Application for a travel home park construction permit shall be made on forms supplied by the City accompanied by a site plan of the travel home park and any supporting documents, plans or drawings as necessary to show that the design requirements of Section 15.52.080 will be met.

C. The site plan and all supporting plans must be submitted to the City no later than thirty (30) days before the date at which the Planning Commission is to review the application. Following review of the application, the Planning Commission shall recommend approval, conditional approval or disapproval of the application. If disapproved, the reasons for disapproval shall be included in the Planning Commission minutes and provided to the applicant upon request. The application shall then be submitted to the City Council for review and action. The Council may approve, conditionally approve or disapprove the application, if it finds that the requirements of these regulations have not been met.

D. It shall be unlawful to occupy any travel home within the travel home park prior to the time that a license for the travel home park, or applicable portion thereof, has been issued by the City Manager following an inspection to determine if the travel home park, or the applicable portion thereof, has been developed in substantial conformity with the site plan as approved by the City Council. A travel home may only be occupied in an approved space.

E. An application fee as set by the City Council shall accompany the application for a travel home park development permit. (Ord. 13, §1, 1994)

15.52.080 Travel home park design requirements.

A. Size and Location: Travel home parks may be located only where allowed by City Land Use Regulations and shall be a minimum of two (2) acres in area.

B. All travel home parks shall, as a minimum, comply with applicable State of Colorado regulations for campgrounds and recreation areas, and the requirements of this chapter. In the event of any conflict between State regulations and the requirements of this chapter or other City ordinances or regulations, those regulations which are more stringent shall apply.

C. Dimensional Requirements:

1. All travel homes and any accessory structures must be kept at least fifteen feet (15') from any other travel home and accessory structure.

2. Travel home park external boundary setbacks shall be as follows:

- a. Minimum park front setback shall be twenty-five feet (25') except when the travel home park fronts on a state highway; then the minimum shall be fifty feet (50').
- b. Minimum park side setback shall be fifteen feet (15').
- c. Minimum park rear setback shall be fifteen feet (15').

3. The number of travel homes in the park shall not exceed twenty (20) travel homes per acre.

4. All travel home spaces shall be clearly marked and numbered and shall contain a minimum of 1500 square feet.

D. Ten percent (10%) of the gross area of the travel home park shall be developed and maintained as a park or playground.

E. The travel home park developer shall provide the following improvements:

1. A water system, including fire hydrants and adequate mains.
2. A sanitary sewer collection system.
3. Paved streets with a minimum width as follows:
 - a. One way/parking on one side - 20 feet;
 - b. Two way/no parking - 24 feet;
 - c. Two way/parking on one side - 30 feet; and
 - d. Two way/parking on both sides - 36 feet.
4. A storm drainage system.
5. Street signs and security lights.
6. A service building meeting the requirements of applicable State and City regulations.

F. Plans for all improvements shall be submitted with the site plan. All required improvements shall comply with standard City design and construction standards and specifications.

G. Easements: The City may require reasonable utility easements to be dedicated to the public for the purpose of public and City utilities. The City may require the oversizing of water

and sewer lines in which event the City shall pay the cost for oversizing.

H. Fencing or vegetative screening may be required if the City Council determines a visual buffer is needed to provide separation from surrounding uses, help protect the property values of the existing neighborhood, and improve the quality of the travel home park.

I. Landscaping: A landscape plan shall be submitted which at a minimum provides for the use of appropriate ground cover and vegetation to prevent erosion and reduce the creation of dust and mud, and includes the use of other landscape materials to enhance the quality of life in the travel home park. (Ord. 13, §1, 1994)

15.52.090 Mobile home and travel home park licensing requirements.

A. It is unlawful to maintain or operate any travel home park or mobile home park with three or more spaces, travel homes or mobile homes within the City limits, unless a license has been issued in accordance with this Section.

B. All existing mobile home parks or travel home parks with three or more spaces, travel homes or mobile homes shall have ninety (90) days to obtain a license following the effective date of this Section, or following annexation to the City. As part of the initial license, an occupancy permit shall be issued for each mobile home lawfully located within a mobile home park at the effective date of this Section or of annexation. Notwithstanding the fact that mobile home parks or travel home parks with only two sites, or mobile homes or travels homes are not subject to this licensing requirement, such mobile home parks or travel home parks shall comply with all other applicable provisions of this Chapter.

C. An application for a license shall be made on forms provided by the City and shall include a scale map of the park showing all existing spaces, structures, streets, utilities and all other facilities. Physical characteristics of the site including topography, floodplains and other significant site features should be shown. Said map shall be on a scale of not less than 1 inch equals 40 feet. The size and location of each existing mobile home shall be accurately shown.

D. No license shall be issued until an inspection is made by the City and it is determined that the applicable requirements of this Section and other City and State regulations are met.

E. Following a hearing, preceded by reasonable notice to licensee, any license issued pursuant to this Section may be revoked if the City Council determines that a violation of this Chapter or other applicable City regulations exists.

F. The license fee for each mobile home or travel home space shall be set by the City Council.

G. This license shall not be transferable to any new park owner. (Ord. 13, \$1, 1994; Ord. 31, \$4, 2000; Ord. 9, \$16, 2004)

15.52.100 Non-conforming mobile home and travel home parks.

A. All mobile home parks and travel home parks shall be maintained in accordance with the requirements of this chapter, applicable State of Colorado Department of Health regulations and other applicable regulations of the City of Delta, Colorado.

B. Any mobile home park or travel home park, which on March 1, 1994, or at the time of annexation, if annexed subsequently thereto, was lawfully existing and maintained in accordance with previously applicable State, County or City regulations and ordinances, but which does not conform or comply with all of the regulations provided for in this Chapter, may be continued to be maintained or used, but shall not be enlarged, modified or repaired except in conformity with this Section. Provided further, spaces in an existing mobile home park lawfully used or designated for travel homes on the effective date of this Section, may continue to be so used, and spaces in an existing travel home park lawfully used or designated for mobile homes on the effective date of this Section may continue to be so used. Any mobile home park or travel home park which was previously unlawful or illegal under previously applicable regulations shall remain unlawful or illegal and subject to abatement or other enforcement action.

C. If the park is not operated for any 10 month period, it may not thereafter be operated until it is brought into conformity this Section.

D. No mobile home or travel home may be placed onto any space which will create or increase any non-conformity with this chapter.

E. 1. Notwithstanding the provisions of Subsection B, lawful non-conforming mobile home or travel home parks existing as of March 1, 1994, may be expanded one time to add an additional number of spaces equal to 30% in accordance with this subsection.

2. The City Council may allow deviations from the design standards of Subsection 15.52.060(C)(2) and (7), (D)(3), (6), (8) or 15.52.080(D) and (E)(3) if it determines that the following criteria are met:

a. The deviations are compatible and consistent with the existing park,

b. The deviation will not be inconsistent with the public health, safety and welfare, and

c. The deviation will not adversely affect the health, safety and welfare of the park customers.

All other requirements of this chapter shall be met. (Ord. 13, \$1, 1994)

15.52.110 Operation and maintenance of mobile home and travel home parks.

A. The park owner shall provide adequate and competent supervision and management to ensure that the park is maintained and operated in conformance with this chapter, State regulations and other ordinances and regulations of the City of Delta.

B. The park owner of every mobile home or travel home park shall be responsible for maintaining all facilities of the park in good repair and in safe, clean and sanitary condition. (Ord. 13, \$1, 1994)

15.52.120 Administration and enforcement.

A. The City Manager or designated representative shall have the right to enter upon any mobile home park or travel home park at any reasonable time for the purpose of inspecting the premises to determine compliance with this chapter or other applicable ordinances and City and State regulations.

B. It shall be unlawful for any person to violate any provision of this Chapter.

C. Any person convicted of a violation of any of the provisions of this Chapter may be sentenced to a fine of not more than one thousand dollars (\$1,000.00), or by a term of imprisonment not to exceed one (1) year, or by both such fine and imprisonment; provided, however, no person under the age of eighteen (18) years may be sentenced to any term of imprisonment in excess of ten (10) days. Each day during which any violation is committed or permitted to continue shall be considered to constitute a separate offense.

D. Any violation of the provisions of this chapter is hereby declared to be a nuisance and may be abated in accordance with law.

E. In addition to any other remedies the City may have, it may maintain an action in a court of competent jurisdiction to enjoin any violation of or compel compliance with any provision of this chapter.

F. The City may refuse to issue any permits required by City ordinance or grant water or sewer taps if the applicant is in violation of any of the provisions of this chapter. (Ord. 13, §1, 1994; Ord. 18, §2 & §3, 1997)